



1592 U.S.P.T.O.

011504

## UTILITY PATENT APPLICATION TRANSMITTAL

(New Nonprovisional Applications Under 37 CFR § 1.53(b))

Attorney Docket No.  
BENDERLY

## TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is the patent application of ( ) application identifier or (X) first named inventor, David BENDERLY, entitled GEMSTONE MARKING SYSTEM AND METHOD, for a(n):

- ( ) Original Patent Application.  
 (X) Continuing Application (prior application not abandoned):  
 (X) Continuation ( ) Divisional ( ) Continuation-in-part (CIP)  
 of prior Application No. 10/353,146, filed on January 28, 2003.  
 ( ) A statement claiming priority under 35 USC § 120 has been added to the specification.

Enclosed are:

- (X) Specification; 12 Total Pages. (X) Drawing(s); 1 Total Sheets.  
 (X) Oath or Declaration:  
 ( ) A Newly Executed Combined Declaration and Power of Attorney:  
 ( ) Signed. ( ) Unsigned. ( ) Partially Signed.  
 (X) A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).  
 ( ) Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein by reference.  
 ( ) Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).  
 ( ) Power of Attorney. (X) Return Receipt Postcard.  
 ( ) Associate Power of Attorney. (X) A Check in the amount of \$385.00 for the Filing Fee.  
 (X) Preliminary Amendment. ( ) Information Disclosure Statement and Form PTO-1449.  
 ( ) A Certified Copy of Priority Documents (if foreign priority is claimed) with Translation.  
 (X) **APPLICANT CLAIMS SMALL ENTITY STATUS.**  
 ( ) Other: \_\_\_\_\_

CLAIMS AS FILED				
FOR	NO. FILED	NO. EXTRA	RATE	FEE
Total Claims	12	0	\$9.00	\$0.00
Independent Claims	1	0	\$43.00	\$0.00
Multiple Dependent Claim Fee (if applicable)				\$0.00
Assignment Recording Fee (if applicable)				\$0.00
Basic Filing Fee				\$385.00
			Total Filing Fee	\$385.00

Please charge \$\_\_\_\_\_ to Deposit Account No. \_\_\_\_\_ pursuant to 37 CFR § 1.25. At any time during the pendency of this application, the Commissioner is hereby authorized to charge any fees required or credit any overpayment to this Deposit Account. A duplicate copy of this sheet is enclosed for fee processing against this Deposit Account.

Respectfully submitted,

By: \_\_\_\_\_

Alan Israel, Attorney of Record, Reg. No. 27564

Date: January 15, 2004

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I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to:

Assistant Commissioner for Patents  
 Box Patent Application  
 Washington, D.C. 20231

By: \_\_\_\_\_

Typed Name: Lori G. Witkin

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Date of Deposit: January 15, 2004

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